

REMARKS

Claims 22-30 and 32-40 remain pending in this application, with now Claims 23, 33 and 39 being rejected. Claims 22, 24-30, 32, 34-38 and 40 have been allowed.

Claim 39 remains rejected and now Claims 23 and 33 have been rejected under 35 U.S.C. § 103(a) as allegedly being anticipated by Korff in view of Scheidler.

Applicants traverse this Section 103 rejection.

For the Examiner's review, Applicants set for the present invention, as defined by the three rejected claims, and then show why the combination of Korff and Scheidler fail to detract from the patentability.

As defined by independent Claim 23, the present invention is directed to a process for attaching an oil sump to an engine block of a combustion engine. In this process, a seal is made by a curable composition -- is a silicone composition -- between a first sealing surface on the oil sump and a second sealing surface on the engine block, to which the curable composition is applied to one or both sealing surfaces. When cured, the curable composition demonstrates adhesion sufficient to secure the oil sump to the engine block significantly without the use of threaded bolts as fastening elements.

As defined by independent Claim 33, the present invention is directed to a combustion engine comprising an engine block and an oil sump attached thereto. In this combustion engine, the oil sump is attached to the engine block with a curable composition -- a silicone composition -- whose adhesion when cured is sufficient to secure the oil sump to the engine block.

And as defined by independent Claim 39, the present invention is directed to a flange connection within a combustion engine with two flange elements between which a seal is made from the cured product of a curable silicone composition. Significantly, in this combustion engine, threaded bolts are not used as connecting elements for the flange connection.

Against these three independent claims, two patent documents are cited in combination. Those documents are discussed in turn below.

The first patent document, Korff, seemingly relates to reducing the vibration and noise issues associated with the attachment of an oil pan to a crank case during use. In Figures 1 and 2, Korff seems to show that an oil pan two is attached to an intermediate part 3 and 6 (in Figure 1) and 2 (in Figure 2) by way of a flexible adhesive. This pre-assembled structure is then attached to a crank case 1 through the use of the bolt 7.

In contrast to the present invention in which bolts are not used to fasten for instance an oil sump to an engine block, Korff's figures would seem to require that.

Thus, in contrast to the present invention, bolts are indeed used to attach the oil pan to the crank case in Korff, whereas in the present invention no such bolts are used.

Accordingly, Korff can be said to teach away from the present invention in this regard.

The Action misstates at page 2 that Korff "discloses the claimed invention except the use of silicone adhesive for flanged connections." Korff as noted above requires the use of bolts and as the Action has admitted is silent as regards a silicone adhesive. So Korff differs from the present invention at least on these two points.

The Action in order to remedy the lack of silicone adhesive disclosure in Korff uses Scheidler as a secondary reference to supply that missing piece of the obviousness formula.

Scheidler is directed to and claims a heating panel assembly, such as for a heater and/or cooker panel to be adhesively connected to a surrounding frame and/or mounting.

Scheidler fails to disclose either a flange connection within a combustion engine or a flange connection sealed from the cured product of a curable silicone composition, which demonstrates adhesion of at least 0.5 N/mm^2 .

However, moving from Korff to Scheidler, as the Action has done, is improper on a number of levels. First, though assuming only for the sake of discussion that combining the disclosures of these two documents is proper (which it is not), the Korff/Scheidler combination still fails to teach that bolts are not needed to attach the oil pan to the crank case.

In addition, while Korff makes no mention of bonding without bolts, Scheidler discusses the use of silicone adhesive in heating panel assembly.

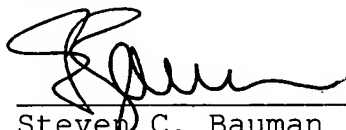
The divergent technologies of Korff -- automotive engine assembly -- and Scheidler -- home appliance assembly -- would not make persons of ordinary skill in the art motivated to look in the other field of endeavor. Thus, such non-analogous fields of technology are not appropriately combined in this instance.

Accordingly, in view of these remarks, Applicants respectfully submit that all rejections have been addressed, and they should no longer be maintained. Applicants further submit

that the application is in condition for allowance, and respectfully request such an indication in the next written communication.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. Bauman', is written over a horizontal line.

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